



U.S. Department of Justice

*United States Attorney
District of Massachusetts*

Main Reception: (617) 748-3100

*United States Courthouse, Suite 9200
1 Courthouse Way
Boston, Massachusetts 02210*

November 2, 2004

VIA HAND DELIVERY

Barry P. Wilson, Esq.
240 Commercial Street
Suite 5A
Boston, MA 02109

Re: United States v. Eric Lino, 03-CR-10377-WGY

Dear Mr. Wilson:

Enclosed are the following materials pertaining to the above-captioned case:

- a.) Copies of eighteen photographs depicting the East Falmouth location where Ms. Roderigues attempted to hide approximately 112 grams of cocaine belonging to your client;
- b.) State Laboratory Institute report pertaining to the analysis of the cocaine referred to in paragraph a. above (1 page);
- c.) Search Warrant and Affidavit in Support of Search Warrant (5 pages total);
- d.) Massachusetts Superior Court Summons to the Barnstable House of Correction for audio copies of telephone calls to inmate Eric Lino (1 page);
- e.) Barnstable County Inmate Summary (1 page);
- f.) PIN Call Detail (1 page);
- g.) Barnstable County Inmate Summary Supplemental Information (1 page);
- h.) Falmouth Police Statement of Michael Vecchione (2 pages);
- i.) Falmouth Police Statement of Vin Gomes (2 pages);

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- j.) Bristol County Sheriff's Office Visitor Card (1 page);
- k.) Falmouth Police Master Card Detailing Listing (1 page);
- l.) Superseding Indictment and JS45.
- m.) Transcript of Tape N-2 (February 27 and 28, 2003)(9 pages);
- n.) Transcript of Tape N-4 (June 18, 2004)(8 pages);
- o.) Transcript of Tape N-19 (July 31, 2003)(3 Pages);
- p.) Transcript of Tape N-20 (2 pages);
- q.) Transcript of Tape N-22 (Lino and Rose)(5 pages);
- r.) Board of Probation Records for the following potential witnesses:
 - 1.) Edward Libby;
 - 2.) Gerard Senac;
 - 3.) Lance Gill;
 - 4.) Christopher Vigor;
 - 5.) Carl Romiza;
 - 6.) Nicole Roderigues;
 - 7.) Michael Vecchione;
 - 8.) Louis V. Gomes;
 - 9.) Michael F. Bennett;
 - 10.) Richard J. Kempton II;
 - 11.) Nelson Baptiste;
- s.) Two payment receipts from Detailz for the defendant's purchase of a 2000 Cadillac Escalade (2 pages);
- t.) Acknowledgment of Requirements for Pre-Insurance Inspection (1 page);
- u.) Purchase and Sales Agreement (1 page);
- v.) Baptiste Masonry Co. check made out to Eric Lino for \$520.00, dated July 10, 2003;
- w.) Letter to Falmouth District Court Clerk, Criminal

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Docket, Criminal Complaint, and application for
Complaint (4 pages total);

- x.) Affidavit of Detective Robert B. Murray (3 pages);
- y.) Criminal Complaint pertaining to Nicole Roderigues (1 page);
- z.) Falmouth Police Incident report and Narrative dated 10/22/04 (2 pages total);
- aa.) Falmouth Police Incident report dated August 1, 2003 (2 pages);
- bb.) Falmouth Police Incident Report dated July 31, 2003(2 pages).

During a conversation with the father of Lance Gill on October 29, 2004, Mr. Gill told me that his son Lance told him that he had never seen Eric Lino sell drugs.

During a conversation with Carl Romiza on October 29, 2004, Mr. Romiza made comments about having a poor memory. He also stated that he had never seen Eric Lino in a Cadillac, although the transcript of his grand jury testimony indicated otherwise. Mr. Romiza either could not remember making certain statements present in the transcript of his grand jury testimony, and/or indicated he had never made certain statements attributed to him in the transcript of his grand jury testimony. Carl Romiza may have also informed the undersigned that he had received speeding tickets.

As listed above, also enclosed is a copy of a superseding indictment voted by the grand jury on October 28, 2004. The superseding indictment was necessary in order to conform to the changes resulting from the recent case of United States v. Blakely. New Bedford Police Officer Dean Fredericks was the sole witness before the grand jury. I will provide you with a copy of Officer Fredericks's testimony when a copy has been provided to me by the court reporter.

During a conversation with Louis V. Gomes on October 29, 2004, Mr. Gomes informed me that he had beaten up a man who cut down a Christmas tree on Mr. Gomes property.

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Please let me know if you believe that there are any additional discovery matters we need to resolve. Thank you.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By:

DAVID G. TOBIN
Assistant U.S. Attorney

Enclosures

Copy to: Elizabeth Smith; Court Clerk to the Honorable William G. Young (without enclosures)